

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

2018 MAY -4 PM 4:07
CLERK
SO. DIST. OF GA.

FRANK JOSEPH SWINDLER,)
Petitioner,)
v.) CASE NO. CV416-189
P.O. AHMED HOLT, Warden,)
Respondent.)

)

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation, to which no objections have been filed. (Doc. 49.) After a careful review of the record, the report and recommendation is **ADOPTED** as the Court's opinion in this case. As a result, Respondent's Motion to Dismiss for Lack of Exhaustion (Doc. 20) is **DENIED** and Supplement to Motion to Dismiss (Doc. 39) is **GRANTED IN PART** and **DENIED IN PART**. The Court will **STAY** this case and **HOLD IN ABEYANCE** any ruling on Petitioner's 28 U.S.C. § 2254 petition until such time as he exhausts his state remedies.

SO ORDERED this 4th day of May 2018.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA